

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2012-007593

06/01/2015

HONORABLE JOSEPH P. MIKITISH

CLERK OF THE COURT
L. Wistuber
Deputy

IN RE THE MATTER OF
CAREN LIPSKY SIMMONS

HELEN R DAVIS

AND

RONALD SIMMONS

YVETTE ANSEL

MINUTE ENTRY

Prior to commencement of today's proceeding, Petitioner's exhibits 1 through 71 and Respondent's exhibits 72 through 104 are marked for identification.

9:14 a.m. (Courtroom 602) This is the time set for Evidentiary Hearing on Petitioner Caren Lipski Simmons' (i) March 7, 2014 Petition for Order to Appear re: Modification of Parenting Time; (ii) October 3, 2014 First Amended Petition for Order to Appear re: Modification of Legal Decision Making, Parenting Time and for Sanctions; (iii) January 9, 2015 Counter Petition for Order to Appear re: Relocation of Minor Children and Respondent Ronald Simmons' (iv) January 9, 2015 Petition to Prevent Relocation of Minor Children and (v) May 18, 2015 Expedited Petition to Modify Child Support. Petitioner Caren Lipsky Simmons is present and is represented by counsel, Helen R. Davis. Respondent Ronald Simmons is present and is represented by counsel, Yvette Ansel.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

THE COURT NOTES that a court reporter was requested by Ms. Davis. A court reporter is in route to the courtroom, but in the interest of time, this proceeding will commence and a brief recess will be taken when the court reporter appears.

Ms. Davis advises the Court that a partial agreement has been reached.

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Discussion is held on the partial agreement.

Discussion is held regarding the remaining issues to be decided by the Court.

9:37 a.m. **LET THE RECORD REFLECT** court reporter, Renee Mobley, is now present. A record of the proceeding also continues to be made by audio and/or videotape, but the Court Recorder's transcription is the official record moving forward.

Ms. Ansel invokes the Rule of Exclusion.

Dr. John Moran, Annette Burns, Esq., Caren Lipsky Simmons, and Ronald Simmons are sworn.

Annette Burns is instructed by the Court and exits the courtroom.

Discussion is held.

Petitioner's case:

Annette Burns, Esq. testifies.

Petitioner's exhibits 1, 2, 3, 4, 5, 6, 50, 51, 8, 9, 10, and 11 are received in evidence.

10:47 a.m. The Court stands at recess.

11:06 a.m. Court reconvenes with both parties and counsel present.

Court reporter, Renee Mobley, is present. A record of the proceeding is also made by audio and/or videotape.

Annette Burns, Esq. testifies further.

Petitioner's exhibits 12, 13, 14, 15, 16, 17, and 18 are received in evidence.

Respondent's exhibit 83 is received in evidence.

LET THE RECORD REFLECT Annette Burns exits the courtroom for a witness to be called out of order.

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11:30 a.m. Petitioner being permitted to call a witness out of order, Dr. Jamie Picus, appearing telephonically, is sworn and testifies.

The witness is excused and is disconnected from the courtroom.

11:55 a.m. The Court stands at recess.

Prior to commencement of today's proceeding, counsel meets in chambers with the Court.

1:35 p.m. Court reconvenes with both parties and counsel present.

Court reporter, Renee Mobely, is present. A record of the proceeding is also made by audio and/or videotape.

THE COURT NOTES having discussed scheduling with counsel.

IT IS ORDERED directing Ms. Davis to prepare a form of order encompassing the parties' partial agreement discussed during this morning's proceeding.

Annette Burns testifies further.

Respondent's exhibit 79 is received in evidence.

Respondent's exhibit 80 is received in evidence, subject to substitution as directed by the Court.

Respondent's exhibit 101 is received in evidence.

The witness is excused.

2:40 p.m. The Court stands at recess.

3:03 p.m. Court reconvenes with both parties and counsel present.

Court reporter, Renee Mobely, is present. A record of the proceeding is also made by audio and/or videotape.

Dr. John Moran testifies.

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Petitioner's exhibits 25, 28, 29, and 19 are received in evidence.

On motion of Petitioner, Respondent's exhibit 74 is received in evidence.

Respondent's exhibits 84 and 88 are received in evidence.

4:25 p.m. The Court stands at recess.

4:29 p.m. Court reconvenes with both parties and counsel present.

Court reporter, Renee Mobely, is present. A record of the proceeding is also made by audio and/or videotape.

Dr. John Moran testifies further.

Respondent's exhibits 75 and 93 are received in evidence.

5:04 p.m. The Court stands at recess until Wednesday, June 1, 2015 at 9:00 a.m., at which time this proceeding will be continued.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.